



11-24-03

PATENT  
ATTORNEY DOCKET NO. 005127.00263

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Mark K. Allen et al.	)	Examiner: TBA
	)	
Serial No.: 10/675,237	)	Art Unit: TBA
	)	
Filed: September 30, 2003	)	
	)	
Title: METHOD AND SYSTEM FOR CUSTOM-	)	
MANUFACTURING FOOTWEAR	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above-identified application, we are transmitting herewith the attached:

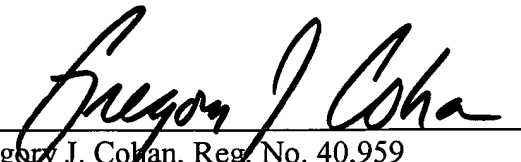
1. Information Disclosure Statement;
2. USPTO Form 1449 with 9 references; and
4. Return postcard

With respect to additional fees, the Commissioner is hereby authorized to charge any fees or credit overpayment, to our Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated:

November 21, 2003

  
\_\_\_\_\_  
Gregory J. Cohan, Reg. No. 40,959  
BANNER & WITCOFF, LTD.  
28 State Street, 28th Floor  
Boston, MA 02109  
(617) 720-9600



PATENT  
ATTORNEY DOCKET NO. 005127.00263

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No.: 6990
Mark K. Allen et al.	)	
Serial No.: 10/675,237	)	Examiner: TBA
Filed: September 30, 2003	)	Art Unit: TBA
Title: METHOD AND SYSTEM FOR CUSTOM-	)	
MANUFACTURING FOOTWEAR	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

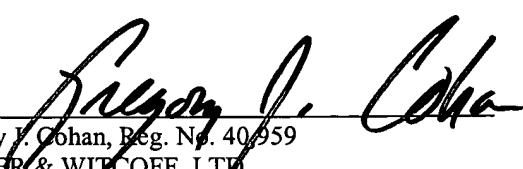
Pursuant to 37 C.F.R. §§ 1.97-1.99, Applicants hereby submit the enclosed PTO Form 1449. Copies of the non-U.S. patent publications and non-patent publications (9 references) are enclosed. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. § 1.56.

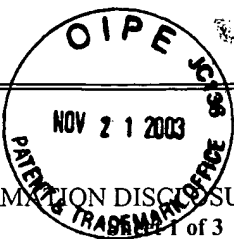
In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. § 102 or § 103.

Please apply any charges or credits to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: November 21, 2003

  
Gregory J. Cohan, Reg. No. 40,959  
BANNER & WITCOFF, LTD.  
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## INFORMATION DISCLOSURE CITATION

1 of 3

Attorney Docket No. 005127.00263

Serial No. TBA

Applicant: Mark K. Allen et al.

Filing Date: September 30, 20003

Group: TBA

## U.S. PATENT DOCUMENTS

Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	AA	6,601,042	07/29/03	Lyden	705	26	05/17/00
	AB	6,463,351	10/08/02	Clynch	700	163	
	AC	5,930,769	07/27/99	Rose	705	27	10/07/96
	AD	5,897,622	04/27/99	Blinn et al.	705	26	10/16/96
	AE	5,879,725	03/09/99	Potter	425	403	09/09/97
	AF	5,790,256	08/04/98	Brown et al.	356	376	02/03/97
	AG	5,757,917	05/26/98	Rose et al.	380	25	11/01/95
	AH	5,753,931	05/19/98	Borchers et al.	250	559.22	07/13/95
	AI	5,724,522	03/03/98	Kagami et al.	395	226	11/13/95
	AJ	5,714,098	02/03/98	Potter	264	40.1	12/20/95
	AK	5,671,279	09/23/97	Elgamal	380	23	11/13/95
	AL	5,659,395	08/19/97	Brown et al.	356	376	06/07/95
	AM	5,640,779	06/24/97	Rolloff et al.	33	514.2	05/25/95
	AN	5,539,677	07/23/96	Smith	364	560	10/22/93

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Class	Subclass	Translation	
							YES	NO
	AO	WO 90/05345	05/17/90	WO				
	AP	WO 94/20020	09/15/94	WO				

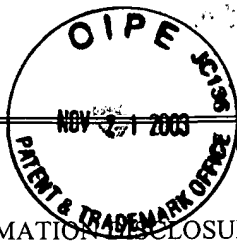
## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

	AQ	Crawford, Krysten A., "CUSTOMIZING FOR THE MASSES", Forbes magazine, pg. 168, October 16, 2000.
	AR	Dworkin, Andy, "NIKE WILL LET BUYERS HELP DESIGN SHOES", The Oregonian Newspaper, Business section, October 21, 1999
	AS	"CUSTOM FIT FOOTWEAR", <a href="http://www.digitoe.com">www.digitoe.com</a> , 1984-Present Digitoe, Inc.
	AT	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. \*\*Copies of references not provided at the time of this submission.



USPTO Form 144 9

U.S. Department of Commerce  
Patent and Trademark Office

Attorney Docket No. **005127.00263**

Serial No. **TBA**

# INFORMATION CLOSURE CITATION

Sheet 2 of 3

Applicant: **Mark K. Allen et al.**

Filing Date: **September 30, 2003**

Group: **TBA**

## U.S. PATENT DOCUMENTS

Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	BA	5,515,268	05/07/96	Yoda	364	401	09/09/93
	BB	5,500,802	03/19/96	Morris et al.			
	BC	5,483,601	01/09/16	Faulkner	382	115	07/28/94
	BD	5,351,303	09/27/94	Wilmore	382	2	02/25/93
	BE	5,339,252	08/16/94	White et al.	364	468	01/07/93
	BF	5,311,357	05/10/94	Summer et al.	359	479	12/03/92
	BG	5,237,520	08/17/93	White	364	560	05/29/92
	BH	5,231,723	08/03/93	White et al.	12	133R	02/24/92
	BI	5,206,804	04/27/93	Theis et al.			
	BJ	5,216,594	06/01/93	White et al.	364	403	05/11/90
	BK	5,195,030	03/16/93	White	364	401	05/11/90
	BL	5,164,793	11/17/92	Wolfsberger et al.	356	376	09/13/91
	BM	5,128,880	07/07/92	White	364	550	05/11/90
	BN	5,123,169	06/23/92	White et al.	33	6	10/03/89

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Class	Subclass	Translation	
							YES	NO
	BO							

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

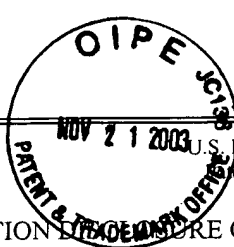
	BP	"NGAGE™ DIGITAL SIZING SYSTEM", NWR, Feb/Mar 1997						
	BQ	"NIKEXPRESS DIRECT SALES OVER THE INTERNET EXPECTED TO REACH 30% TOTAL OF ATHLETIC FOOTWEAR SALES BY YEAR 2003; The New York Times Newspaper, Sept. 23, 1999						
	BR	"THE FLORSHEIM SHOE COMPANY – EXPRESS SHOP", Harvard Business School, Copyright 1988 by The President and Fellows of Harvard College						
	BS	"6 STEPS TO ORDERING SHOE LASTS & FOOTWEAR FROM DIGITOE®", June 1998, Digitoe, Inc.						

EXAMINER

DATE CONSIDERED

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NOV 21 2003

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Patent and Trademark Office

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## INFORMATION DISCLOSURE CITATION

Sheet 3 of 3

Applicant: Mark K. Allen et al.

Filing Date: September 30, 2003

Group: TBA

## U.S. PATENT DOCUMENTS

Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	CA	5,063,603	11/05/91	Burt	382	37	11/06/89
	CB	4,813,436	03/21/89	Au	128	779	07/30/87
	CC	4,800,657	01/31/89	Brown			
	CD	4,736,203	04/05/88	Sidlauskas	340	825.34	07/17/85
	CE	4,604,807	08/12/86	Bock et al.	33	3C	08/30/85
	CF	4,598,376	07/01/86	Burton et al.	364	470	04/27/84
	CG	4,267,728	05/19/81	Manley et al.	73	172	07/02/79

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Class	Subclass	Translation	
							YES	NO

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